



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

VIRGINIA STATE CORPORATION COMMISSION.

ALEXANDRIA.

COMMONWEALTH OF VIRGINIA, AT THE RELATION OF THE STATE
CORPORATION COMMISSION V. WASHINGTON, ALEXANDRIA
& MOUNT VERNON RAILWAY COMPANY.*

February 9, 1905.

RAILWAYS—*Va. Code 1904, sec. 1313a, (20)*—*Powers of the Corporation Commission.* Under Va. Code 1904, sec. 1313a, (20), the State Corporation Commission may, if it deem it reasonable and expedient in order to promote the security and accommodation of the public, compel an electric railway company to purchase and put in operation new motor cars; to put new motors on old cars in service; to install on its cars modern electric heating apparatuses; to lay and operate a double track; to run its cars according to its published schedules; and to inaugurate and maintain a proper system of inspection of its properties.

Upon proceedings at the instance of the Commission, on complaints made to it by citizens of Alexandria.

The opinion fully states the case.

Gardner Boothe and *L. T. Harlow*, for the citizens of Alexandria.

R. Walton Moore, for the defendant company.

HON. BEVERLY T. CRUMP, Chairman of the Commission:

This matter was heard at a session of the Commission held in the city of Alexandria on the second and third days of February, 1905, the defendant railway company having been summoned for the first named day to appear at the courthouse in the said city, when an investigation would be had as to the necessity for additions to its rolling stock, repairs to its track and equipment, and other matters relating to adequate and sufficient accommodation for passengers over its line.

This proceeding was had at the instance of the Commission, by reason of complaints made to it by citizens of Alexandria travelling over the route of the defendant line, these complaints being of a most indignant character. The complaints as to insufficient service on the line of the defendant company were so great that the city council of the city of Alexandria, by formal resolution, called the

* Reported by George C. Gregory.

attention of the Commission to it and requested it to give proper relief.

On the hearing, the city attorney of the city of Alexandria appeared, together with counsel representing the Commuters' Protective Association, an association formed of persons living in Alexandria and having their business in the city of Washington, these two gentlemen being allowed by the Commission to represent the complaining parties. The defendant railway company was also represented by counsel. Thus a formal investigation was had and testimony on both sides was heard at length by the Commission. For the complaining parties, there were introduced about thirty-five witnesses, some of them ladies, and from their testimony the following facts appear:

The line of the defendant railway company extends from the city of Washington, over the bridge formerly used by the Pennsylvania railroad, to the city of Alexandria, a distance of between six and seven miles, and beyond Alexandria to Mount Vernon. There are probably two thousand persons using the road daily between Alexandria and Washington, and the testimony related chiefly to the insufficient accommodation for passengers between Alexandria and the south bank of the Potomac river, or into the city of Washington. Owing to the cheaper living in the city of Alexandria, many of the department clerks living in Washington make their homes in Alexandria, and are compelled to report at their places of work in Washington promptly in the morning and to return to Alexandria in the afternoon. The travel out of Alexandria between the hours of six and nine in the morning, and, returning, from the city of Washington between the hours of four and six-thirty in the afternoon, is very heavy; and if the defendant railway company had been running its trains according to its published schedules, it seems from the testimony that this travel could have been reasonably accommodated. It was shown that for a year and more past, the company's cars, during the morning and evening hours, were almost continually overcrowded, to a degree not only uncomfortable but dangerous; that since the cold weather has set in, it is not at all an infrequent occurrence, during the most severe weather and during snow-storms, for its trains, consisting usually of a motor-car and a trailer, to be packed inside, with the platform crowded; and it was shown that ladies had been compelled to travel from Alex-

andria to Washington, in the bitterest weather, standing on the rear platform, unable to get into the car at all. It was further shown that there was a continual disregard of the schedules published, as to the times for the cars, or the trains of a motor and trailer, to leave Alexandria, so that, when its trains did leave, there was a rush to get in them, and, by reason of the continual disregard of the schedules, the overcrowding of the cars was to a great extent caused. It was shown that by reason of exposure to severe weather, persons had been made ill; and it was testified that, on account of the exposure and general lack of accommodation, some persons residing in the city of Alexandria had been compelled to remove their residence to the city of Washington, and, unless conditions were bettered, others would be obliged to do so.

It was shown that it was not an infrequent occurrence for the trip from Alexandria to Washington to occupy a period of two hours, although the distance could be easily run on schedule time in from twenty-five to thirty minutes. These frequent delays were caused by the wornout condition of the rolling stock of the road, particularly of the motor equipment of the cars. When a breakdown of this sort would occur on a trip, with the cars crowded and no heat in them, with persons compelled to stand on the platform and bitter winter weather prevailing, the Commission cannot feel surprised at the violent protests made by the citizens of Alexandria against the accommodations furnished by the defendant railroad to its patrons.

This condition of affairs unquestionably calls for immediate and effective relief. The president of the defendant company made a statement in which he expressed his regret that he had been unable to control the situation heretofore; and it is gratifying to note that he further stated that, by the 1st of March, there would be at the disposal of the company the sum of \$200,000, which would be applied to the purchase of new equipment, double-tracking the road between Alexandria and Washington, and generally towards the improvement of the company and its line.

On behalf of the complainants there testified an expert electrician, at present electrical engineer of the Manhattan Elevated Road in New York City. He said he had a day or two before made a careful examination of the power plant and rolling stock and general electrical equipment of the defendant railroad company. In

his opinion the power plant was adequate to supply power both for running the cars and for heating them. There was no lack of power and the plant was ample for all the purposes of the company. He said that the car equipment was in very bad condition and that one reason why the defendant company could not furnish better accommodations for the travelling public was because most of its motors were of antiquated style and had not been sufficiently inspected, so that the equipment needed continual repairs, and hence a large portion of it was apt, at all times, to be in the repair shops. He stated that the defendant company's road had no proper snow-sweeper; that it was the only road of its character in the country he knew of that did not have some reasonable machinery for cleaning its tracks of snow, and he recommended that the road should purchase a rotary sweeper.

The line of the defendant company's road was constructed some ten or twelve years ago and has been in operation since, so that it has had ample time to acquaint itself with the needs of its patrons and the necessities growing out of the length and character of its line. Having had many winters' experience, no excuse can be offered for not having such a necessary equipment as a snow-sweeper, and for not having its cars properly heated, except the reason given by the president for the lack of equipment in general—that is, that the road had not been in financial condition to expend money for this purpose. Having reference to the amount of bonds and stock issued by the road, and the amount of interest on the bonds and of dividends on the stock, the latter having been earned during the past three years, it appears to the Commission that the road has earned sufficient to have put it in better condition before this. It should be noted that, in regard to the failure to properly heat the cars, it appeared in the evidence that the company had purchased, in December, 1904, modern heaters sufficient to equip five of its cars, and yet they had not been installed on any of the cars.

This is not the first time that the defendant railway company has been before the Commission on complaints made against it of inadequate service and equipment between Alexandria and Washington. About a year ago, in February, 1904, on complaint made to it, the Commission had the same company summoned, and, on the hearing then had, it was clearly shown that the company was not sufficiently equipped, and was not rendering reasonable and adequate accommo-

dation to its patrons. It seems to the Commission that, considering what was brought out at that investigation, the defendant company should have had its road in such condition by the fall of 1904 as would not have given rise to the complaints now made again this winter.

In the testimony complaint appeared as to the insufficient character of the service between Mount Vernon and Alexandria, and that portion of the road seems also to have been badly neglected.

Without detailing any further the facts brought out, it is made manifest that the duty is devolved upon the Commission to require, by formal order in these proceedings, that such improvements shall be made as will adequately ameliorate the conditions of travel on the defendant company's road between Alexandria and Washington. This duty of the Commission is rendered easier in these proceedings by the statement of the president of the road before alluded to, that sufficient funds had been provided for and would be at the disposal of the company by the 1st of March, so that the reasonable order of the Commission, which is now entered, can be readily executed.

ORDER.

The Commission, having carefully considered all the evidence and matters adduced upon the hearing in these proceedings, is of opinion, for reasons stated in writing, that it should direct certain specified improvements to be made and rolling stock to be purchased by the defendant company. It is, therefore, ordered:

First.—That the defendant, the Washington, Alexandria and Mount Vernon Railway Company, shall purchase, and have delivered to it, and put in operation on its line before the first day of May, 1905, four new complete motor-cars, sufficient to seat fifty-two passengers each, equipped with four modern motors of not less than fifty horse-power, with double flooring; that two additional four-motor cars of the same size and character be at once ordered and purchased by the defendant company, to be delivered to it and put in operation on its line not later than August first, 1905; that two new fifty-horse-power motors be ordered and purchased, if not already ordered and purchased, by the defendant company, which shall be put in on some of the cars now in service on its line not later than the first day of May, 1905.

Second.—That the said defendant company shall, within fifteen days from this date, viz., the 9th day of February, 1905, install on six of its motor-cars used in regular passenger service between Alexandria and Washington, proper modern electric heating apparatus of the character mentioned in the testimony as being placed on the sides of the cars, said heaters being arranged to take not less than twelve amperes of current at five hundred volts; and shall, with reasonable promptness and dispatch, order, purchase and install on all its other cars, motors and trailers, used in its passenger service, in the winter season, like modern electric heaters to be similarly placed.

Third.—That the said company shall lay, complete, and operate a double track from the limits of the city of Alexandria to the beginning of the approach to the new bridge over the Potomac river, said double track to be completed and put in operation not later than the first day of August, 1905; and shall complete and put in operation the double track over the approaches and to the south end of the said new river bridge with reasonable promptness and dispatch, circumstances and conditions considered.

Fourth.—That the said company shall not run a less number of trains or cars than now provided for in its published schedules, such additional trains or cars to be put on as may, from time to time, be necessary to adequately and properly accommodate the passenger traffic between Washington and Alexandria, or as may be hereafter directed by the Commission to be operated.

Fifth.—It is the opinion of the Commission that the track, road-bed and rolling stock of the defendant company should be put in good physical condition, and a proper system of inspection of these properties of the road be inaugurated and maintained.

The foregoing requirements are made as being at this time reasonable and expedient in order to promote the security and accommodation of the public, and the said foregoing requirements must be complied with in accordance with the provisions of sec. 20 of an act entitled "An Act to put into effective operation the provisions of the Constitution relating to the creation, appointment and organization of the State Corporation Commission, etc.," approved April 15th, 1903. [Va. Code, 1904, sec. 1313a, (20).]

This order is now entered by the Commission in order that the

repairs and additions, deemed by the Commission at once necessary, should be made within a reasonable time; but it is ordered that these proceedings be kept upon the docket of the Commission, in order that, upon the hearing and testimony already had, further action may be taken should the Commission deem it necessary. And with that end in view, it is now stated of record that the Commission will make an inspection of the power-plant, rolling stock, electrical equipment and road-bed of the defendant company during the summer of 1905, with a view of ascertaining to what extent the defendant company has complied with this order and has further put its road in proper condition to meet the requirements of travel during the winter season of 1905-1906.

It is further ordered that a certified copy of this order be forthwith transmitted to the defendant railway company.